

REMARKS

Applicant submits that the present amendment is fully responsive to the Office Action dated May 18, 2009 and, thus, the application is in condition for allowance.

By this reply, claims 4, 9, 14, 17, and 19 are cancelled; and claims 1, 5-6, 10-11, 15-16, 18, and 20 are amended. Claims 1, 4-6, 9-11, and 14-20 remain pending. Of these, claims 1, 6, 11, 16, 18, and 20 are independent. An expedited review and allowance of the application is respectfully requested.

In the outstanding Office Action, claims 1, 4, 6, 9, and 16-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable by Contractor (US Pub. No. 2002/0085687) in view of Saha (US Pat. No. 6,198,935). It is asserted that Contractor discloses a method and network element with all of the features of the present invention as recited in the claims, except for obtaining location information from a Gateway Mobile Location Center (GMLC). It is further asserted that Saha teaches obtaining location information from a Gateway Mobile Location Center (GMLC). It is further asserted that it would have been obvious to one of ordinary skill in the art to combine the teaching of Contractor with the teaching of Saha. Applicant respectfully traverses.

With respect to claims 1, 6, 16, 18, and 20, there is nothing in Contractor, nor Saha, nor any other related art of record, alone or in combination, which discloses or fairly suggests the present invention as recited in the pending claims. Furthermore there is no articulable rationale to support the legal conclusion of obviousness. Contractor discloses a system wholly limited to the caller ID system used in landline telephones (Contractor, [0006]). Contractor does not provide for any of the necessary structure or methods to determine the location of a caller. At most, Contractor discloses an announcement containing a calling party's information from a

database (Contractor, Paragraph [0009]). Contractor does not disclose any way of providing for the location of a caller, much less providing for this in real time. While paragraph [0009] of Contractor mentions city and state, there is no way to gather this information from any type of mobile device. Meanwhile, Saha discloses a location system which is much more complex than the legacy caller ID. Saha discloses determining the location of a device within a network (Saha, Column 2, Lines 38-40). The connections and steps provided for in the independent claim are not present in Saha. Saha does not even mention any type of audible information. Therefore, necessary structure lacking in the references to provide for this audible information cannot be found in Saha. For at least this reason, the rejection should be withdrawn.

In an effort to further prosecution more expediently and efficiently, dependent claims 4, 9, 17, and 19 have been cancelled.

In the outstanding Office Action, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Contractor and Saha in view of Park (US Pat. No. 6,434,126). It is asserted that Contractor teaches substantially the same invention as in the present claims but for obtaining the name information using Calling Name Address Presentation (CNAP). It is further asserted that Park cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

With respect to claim 5, neither Contractor, nor Saha, nor Park, nor any other related art of record, alone or in combination, discloses or fairly suggests the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Contractor and Saha fail to obviate the present invention, as claimed, for the reasons set forth above, and there is no articulable rationale to combine with Park. At most, Park discloses presenting a caller's name

information (Park, Column 1, Lines 50-60). The only mention of CNAP is in the background section where Park describes some issues with CNAP (Park, col. 1, lines 31-49). In no way does Park disclose any type of audible location information as claimed and stated above with respect to Contractor. Therefore, Park cannot possibly cure the defects of Contractor and Saha stated above with respect to independent claim 1. Thus, even if there was motivation to combine Contractor, Saha, and Park, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

In the outstanding Office Action, claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Contractor and Saha in view of Park (US Pat. No. 6,434,126). It is asserted that Contractor teaches substantially the same invention as in the present claims but for obtaining the name information using Calling Name Address Presentation (CNAP). It is further asserted that Park cures this deficiency and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

Claim 10, as amended, encompasses each element of claim 5. Contractor, Saha, and Park fail to obviate the present invention, as claimed, for the reasons set forth above with respect to claim 5. For at least this reason, the rejection should be withdrawn.

In the outstanding Office Action, claims 11, 14, and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Benco (US Pat. No. 6,839,022) in view of Contractor modified by Saha. It is asserted that Benco teaches substantially the same invention as in the present claims but for converting the location information to voice information, and obtaining the location information from a GMLC. It is further asserted that Contractor and Saha cure these

deficiencies and thus the combination would render the present claim as obvious. Applicant respectfully traverses.

With respect to claim 11, neither Benco, nor Contractor, nor Saha, nor any other related art of record, alone or in combination, discloses or fairly suggests the present invention as recited in the pending claims. Nor would it have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as asserted by the examiner. Benco fails for the same reasons set forth above with respect to Contractor. Nowhere does Benco mention using a GMLC. Benco discloses determining a location of a calling party (Benco, Column 1, Line 65 – Column 2, Line 10). However, Benco fails to even mention any type of voice information with respect to this location. Therefore, any of the necessary structure stated above with respect to Contractor cannot possibly be present. There is no voice connection between an intelligent peripheral and a called wireless device. The combination with Contractor does not cure these defects. Most users will not appreciate the location of user equipment if given the geographic coordinates because most people are not familiar enough with the system. Furthermore, there is no reason to combine Benco with Saha because the methods contrast each other. Saha uses a completely different system than Benco's onboard GPS or cellular triangulation. Thus, even if there was motivation to combine Benco, Saha, and Contractor, *arguendo*, the combination would fail to obviate the present as recited in the pending claims. Thus, the rejection should be withdrawn and the claims allowed to issue.

Dependent claim 15 which depends upon independent claim 11, also cannot be rendered obvious because it includes each element of claim 11, which cannot be fairly obviated by Contractor, Saha, and Benco as discussed above. This dependent claim adds further features that, in combination with the features presented in the independent claim, clearly further

distinguish the claims from any teaching or suggestion by Contractor, Saha, or Benco. For at least these reasons, the rejections should be withdrawn.

In an effort to further prosecution more expediently and efficiently, dependent claim 14 has been cancelled.

None of the other art of record, cited but not relied upon, alone or in combination, recite, teach or fairly suggest inventions as recited in the pending claims. Thus, the rejections should be withdrawn and the application allowed to proceed to issue.

No extension of time is believed to be necessary to enter this amendment. However, if any fees are associated with the entering and consideration of this amendment, please charge such fees to our Deposit Account 50-2882.

Applicant respectfully requests an interview with the Examiner to present more evidence of the unique attributes of the present invention in person. As all of the outstanding rejections have been traversed and all of the claims are believed to be in condition for allowance, Applicant respectfully requests issuance of a Notice of Allowance. If the undersigned attorney can assist in any matters regarding examination of this application, Examiner is encouraged to call at the number listed below.

Respectfully submitted,

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